

## REMARKS

By this amendment, the spelling of alkoxysilane in Claim 23 has been corrected as suggested by the Examiner. In addition, the phrase "in organic solution" has been deleted from Claims 23, 24 and 25. Instead, Claims 23, 24 and 25 have been amended to indicate that the reaction is conducted in the presence of an organic solvent (support for this amendment can be found on page 14, lines 25, 26 and 31 in the examples). In addition, Claim 23 has been amended by changing the molecular weight range of "from 500 to 16,000" to a hydroxyl number range of from 8 to 200 (support for this range can be found on page 8, line 12). Claims 24 and 25 have been amended accordingly. Finally, Claims 45 and 46 have been added. In Claim 45, the component a) has been defined as having an hydroxyl number of from 8 to 200 and a molecular weight of up to 16,000 (the upper limit in the original claims). In Claim 46, component a) has been defined as having a molecular weight of from 561 to 16,000. As discussed below, the 561 molecular weight was determined according to the formula:  $\text{molecular weight} = (56,100 \text{ times } f) \div \text{hydroxyl number}$ , where  $f$  is the functionality of the material.

Reconsideration of this application, as amended, is respectfully requested.

Claims 23 - 44 were rejected under 35 U.S.C.112, second paragraph. The Examiner questioned the use of the phrase "in organic solution." By the amendment presented herein, the phrase has been deleted. Instead, the claims now require that the reaction is conducted in the presence of an organic solvent. The Examiner also suggested correcting the misspelling of "alkoxysilane." The Examiner's suggestion has been adopted.

Finally, the Examiner raised an issue as to whether components a) and c) were mutually exclusive. By the amendments presented herein, the components are clearly mutually exclusive. In Claims 23 and 45, component a) has been defined by its hydroxyl number. The relationship between hydroxy number and molecular weight is well known in the art according to the formula:  $\text{OH number} = (56,100 \times f) \div \text{molecular weight}$ . Component a) must be at least difunctional. The lowest molecular weight a difunctional polyol could have if the OH number is from 8 to 200 would be

Reconsideration of the rejection is requested.

Applicants respectfully request that a timely Notice of Allowance be issued in this application.

Respectfully submitted,

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Version with markings to show changes made

In the claims:

Claims 23, 24 and 25 have been amended as follows:

23. (Twice Amended) A polyurethane solution containing alkoxy silane structural units, wherein the polyurethane is the reaction product, ~~in organic solution,~~ of

- a) at least one at least difunctional polyol having ~~a molecular weight of 500 to 16,000~~ an hydroxyl number of from 8 to 200,
- b) at least one at least difunctional polyisocyanate having a molecular weight of 140 to 1,500,
- c) at least one low molecular weight at least difunctional alcohol and/or amine having a molecular weight of 32 to 500,
- d) at least one compound containing at least one alkoxy silane group and an isocyanate-reactive group and
- e) optionally a monofunctional compound containing an amino, alcohol or oxime group, other than a compound falling within the scope of component d),

in the presence of an organic solvent, wherein the equivalents of component d) are at least 50% of the total equivalents of components d) and e) and wherein the number of terminal ~~alkoxy silane~~ alkoxy silane groups must be at least 50 wt.% of all the incorporated alkoxy silane groups.

24. (Twice Amended) The polyurethane solution of Claim 23 wherein the polyurethane is reaction product, ~~in organic solution,~~ of

- a) 40 to 92 wt.% of said at least one at least difunctional polyol ~~having a molecular weight of 500 to 16,000,~~
- b) 7 to 50 wt.% of at least one at least difunctional polyisocyanate having a molecular weight of 140 to 1,500,
- c) 0.5 to 20 wt.% of at least one low molecular weight at least difunctional alcohol and/or amine having a molecular weight of 32 to 500,

- d) 0.1 to 5 wt.% of at least one compound containing at least one alkoxysilane group and an isocyanate-reactive group and
  - e) optionally a monofunctional compound containing an amino, alcohol or oxime group, other than a compound falling within the scope of component d),
- wherein the percentages are based on weight of the polyurethane and the equivalents of component d) are at least 75% of the total equivalents of components d) and e).

25. (Twice Amended) The polyurethane solution of Claim 23 wherein the polyurethane is the reaction product, ~~in organic solution,~~ of

- a) 47 to 88 wt.% of said at least one at least difunctional polyol ~~having a molecular weight of 500 to 16,000,~~
- b) 10 to 40 wt.% of at least one at least difunctional polyisocyanate having a molecular weight of 140 to 1,500,
- c) 0.8 to 17 wt.% of at least one low molecular weight at least difunctional alcohol and/or amine having a molecular weight of 32 to 500,
- d) 0.2 to 3.0 wt.% of a compound containing an alkoxysilane group and an isocyanate-reactive group and
- e) 0-0.5 wt.% of a monofunctional compound containing an amino, alcohol or oxime group, other than a compound falling within the scope of component d),

wherein the percentages are based on weight of the polyurethane and the equivalents of component d) are at least 95% of the total equivalents of components d) and e).

As explicitly set forth in **37 C.F.R. Section 1.121(c)(1)(ii), last sentence**, a marked up version does not have to be supplied for an added claim, as it is sufficient to state that a particular claim has been added, and this has been so stated in the Amendment.

In particular, in this case, Claims 45 and 46 have been newly added.